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14 *Attorneys for Maricopa County, Dimas, Hawkins, Hertig, Martin, Montano, Moody,*
15 *Park, Smith, Chester, Rainey, and Marsland and the Maricopa County Sheriff*

16 **IN THE UNITED STATES DISTRICT COURT**

17 **FOR THE DISTRICT OF ARIZONA**

18 Debra Morales Ruiz, et al.,

19 Plaintiff,

20 vs.

21 County Of Maricopa, a governmental
22 entity; Maricopa County Sheriff's
23 Office, a governmental entity;
24 Maricopa County Correctional Health
25 Services, a governmental entity;
26 Brandon Smith And Jane Doe Smith;
27 Paul Penzone And Jane Doe Penzone;
28 Thomas Tegeler And Jane Doe Tegeler;
Kyle Moody And Jane Doe Moody;
Arturo Dimas And Jane Doe Dimas;
Tyler Park And Jane Doe Park; Gerardo
Magat And Jane Doe Magat; Daniel
Hawkins Jr. And Jane Doe Hawkins;

NO. CV-23-02482-PHX-SRB (DMF)

**STIPULATION TO EXTEND TIME FOR
RESPONSIVE PLEADING**

(FIRST REQUEST)

Javier Montano And Jane Doe
 Montano; James Dailey And Jane Doe
 Dailey; Trevor Martin And Jane Doe
 Martin; Gregory Hertig And Jane Doe
 Hertig; John Chester And Jane Doe
 Chester; Jorge Espinosa Jr. And Jane
 Doe Espinosa; Morgan Rainey And
 Jane Doe Rainey; Stefanie Marsland
 And John Does Marsland; And John
 And Jane Does 1-140

Defendants.

Plaintiffs and the Maricopa County Sheriff¹, Dimas, Hawkins, Hertig, Martin, Montano, Moody, Park, Smith, Chester, Rainey, and Marsland (“Defendants”) (collectively “the Parties”) hereby submit this stipulation to extend the time by which Defendants must file a responsive pleading to Plaintiffs’ Complaint.

On January 8, 2024, pursuant to Local Rule 12.1(c), the Parties conferred via telephone regarding issues pertaining to Plaintiffs’ Complaint and Defendants’ intention to file a Motion to Dismiss should the Parties not reach agreement on amendment. During that telephone call Plaintiffs expressed a desire to review the Complaint regarding the discussed issues. During subsequent email communications, Plaintiffs conveyed their intention to file an amended complaint. Defendants confirmed with Plaintiffs that Defendants’ responsive pleading would not be required until after the amended complaint is filed and any necessary good faith conferrals take place.

¹ Paul Penzone resigned as Maricopa County Sheriff effective January 12, 2024. The Maricopa County Board of Supervisors has initiated a process to appoint a new Sheriff. We will provide a notice to substitute the new Sheriff as the named defendant in this case pursuant to Federal Rule of Civil Procedure 25(d) when an appointment is made. Pursuant to Federal Rule of Civil Procedure 17(d), until a successor is appointed, filings on behalf of the Defendant Maricopa County Sheriff will identify the Defendant by the title of the office, Maricopa County Sheriff.

1 The Parties recognize this Stipulation should have been filed prior to the Court's
2 notice and apologize for the delay.

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5 **RESPECTFULLY SUBMITTED** this 22nd day of January 2024.

6 RACHEL H. MITCHELL
7 MARICOPA COUNTY ATTORNEY

8 By /s/ Courtney R. Glynn
9 COURTNEY R. GLYNN
10 MICHAEL E. GOTTFRIED
11 Deputy County Attorneys
12 *Attorneys for Maricopa County, Dimas,*
Hawkins, Hertig, Martin, Montano, Moody,
Park, Smith, Chester, Rainey, Marsland
and the Maricopa County Sheriff

13 I hereby certify that on January 22, 2024, I caused the foregoing document to be
14 electronically transmitted to the Clerk's Office using the CM/ECF System for filing and
15 served on counsel of record via the Court's CM/ECF system.

16 /s/ S. R.

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